

18 OCT 1999

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Michael Coveley et al.
Serial No.: 09/367,670

Filed:

Title: INTELLIGENT COMMUNICATION
SERVER AND COMMUNICATION
SYSTEM INCORPORATING SAME

Group:

Examiner:

ATTENTION: APPLICATION PROCESSING DIVISION
SPECIAL PROCESSING AND CORRESPONDENCE BRANCH

SUBMISSION OF EXECUTED DECLARATION

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

In response to the Notice to File Missing Requirements Under 35 U.S.C. 371 mailed October 7, 1999, enclosed herewith is the signed and dated Declaration in the above-identified application together with a copy of Form PTO/DO/EO/905.

If any fees are required, the Commissioner is authorized to charge payment of the following fees during pendency of this application or credit any overpayment to Deposit Account No. 02-0385 BAKER & DANIELS:

1. Any additional fees required under 37 CFR 1.16.
2. Any patent application processing fees under 37 CFR 1.17
3. Any filing fees under 37 CFR 1.16 for presentation of extra claims

It is submitted that with the filing of the above documents, the application is complete and may be submitted for examination by the Patent and Trademark Office.

Respectfully submitted,

John f. Hoffman
Registration No. 26,280
Attorney for Applicants

JFH:pmp

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Enc.

Declaration
Form PTO/DO/EO/905
Return Postcard

"EXPRESS MAIL" MAILING LABEL NUMBER EL075546917USDATE OF DEPOSIT October 18, 1999

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED
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INDICATED ABOVE AND IS ADDRESSED TO THE COMMISSIONER OF
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Patrice Michele Potter
(Typed Name of Person Mailing Paper or Fee)

(Signature of Person Mailing Paper or Fee)



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS

Box PCT

Washington, D.C. 20231

M

SIM0065

09/367,670

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/367670	COVELEY	M
PCT/CA98/01146		
SIM0065		
INTERNATIONAL APPLICATION NO.		
PCT/CA98/01146		
12/18/98 12/18/97		
I.A. FILING DATE PRIORITY DATE		
18 DEC 98 10/18/97		
DATE MAILED 07 OCT 1999		

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NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

- ☐ a non-English language.
☒ English.

☐ Translation of the international application into English.

☒ Oath or Declaration of inventors(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☐ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of the International Preliminary Examination Report into English.

☐ Preliminary amendment(s) filed _____ and _____

☒ Information Disclosure Statement(s) filed 18 aug 99 and _____

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed _____

☐ Verified Statement Claiming Small Entity Status.

☐ Priority Document.

☒ Copy of the International Search Report ☒ and copies of the references cited therein.

☒ Other: ISA-220, IB-308

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

☒ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR ☒ 21 OR ☐ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response

Enclosed:

☒ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

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